

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PEIERLS FOUNDATION, INC., ET AL.,
Plaintiffs

v.

CIVIL ACTION NO.:
03-12213-EFH

JAMES E. RURKA, ET AL.,
Defendants.

ORDER

May 5, 2004

HARRINGTON, S.D.J.

Upon review of the documents submitted in this case, Defendants' Motion to Dismiss [pleading No. 15] is denied. The Court shall entertain a motion for summary judgment at the close of discovery.

SO ORDERED.

/s/ Edward F. Harrington
EDWARD F. HARRINGTON
United States Senior District Judge